

EXHIBIT HH

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MARYLAND

NORTHERN DIVISION

- - - - - X

EQUAL EMPLOYMENT OPPORTUNITY :
COMMISSION, :
Plaintiff, :
KATHY C. KOCH, : Case No
Intervenor/Plaintiff, : WDQ-02-CV-648
v. :
L.A. WEIGHT LOSS CENTERS, INC., :
Defendant. :
- - - - - - - - - X Pages 1-105

DEPOSITION OF PATRICIA L. BURROUGHS
Waldorf, Maryland
Wednesday, February 2, 2005

Reported by: Marijane Simon, RDR, CSR

Job No. 165474

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1 referring to in your question.	1 A. No.
2 Q. All right. Sitting here today, can	2 Q. Okay. No, you can't remember; or no,
3 you remember anything that was said about hiring	3 there was no one else?
4 men or not hiring men during the training session	4 A. I can't remember.
5 other than what you've read in Burroughs No. 1?	5 Q. Can you remember whether or not there
6 A. No.	6 were any men in the room?
7 Q. Now, sitting here today, do you have a	7 A. There were no men in the room.
8 recollection of what was said at the meeting about	8 Q. All right. Now, the regional manager
9 hiring men?	9 who you can recall in the mental picture you have
10 A. Yes.	10 standing to the right, do you remember the name of
11 Q. Now, do you remember that because you	11 that regional manager?
12 just read it, or do you remember it because	12 A. No.
13 reviewing your statement refreshed your	13 Q. Do you remember what she looked like?
14 recollection?	14 A. Yes.
15 A. I -- That scene is like a photograph.	15 Q. Can you please tell me what --
16 Q. Okay.	16 A. She had long black hair. She was
17 A. Okay. I can see the people standing	17 wearing a black cape.
18 there in their positions when the statement was	18 MR. WETCHLER: Off the record.
19 made.	19 (Discussion off the record.)
20 Q. All right. Can you please tell me --	20 BY MR. WETCHLER:
21 Can you please describe for me that photograph?	21 Q. All right. Let's go back on the
22 A. Okay. I'm sitting like I am facing	22 record and please excuse my interruption.
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1 you, and I really -- The one that was introduced	1 A. Okay.
2 can't -- That was the regional manager -- was	2 Q. All right. Directing your attention
3 standing over to my right. And I do believe that	3 to the third paragraph in Burroughs Exhibit No. 1,
4 Kristi was standing to the left when those	4 the one that starts, "A woman named Anastasia," do
5 statements were made.	5 you see that?
6 And I -- Kathy Koch was sitting beside	6 A. Yes.
7 me. Okay?	7 Q. Can you recall anything being said by
8 Q. Yes.	8 Kristi O'Brien at the training session on the
9 A. And I just remember saying: Oh. Just	9 subject of hiring men other than what's described
10 to myself. And I said, That's a bucket of worms,	10 in that third paragraph?
11 and that's -- but I remember that scene --	11 A. No.
12 Q. All right.	12 Q. Other than the people who were being
13 A. -- the placement of the people in that	13 trained, did anyone say anything about the hiring
14 room.	14 of men in addition to Kristi O'Brien at the
15 Q. Now, other than the regional manager	15 training session?
16 and -- You said who was standing to the left?	16 A. Yes.
17 A. Kristi.	17 Q. Who did?
18 Q. Okay. Other than the regional manager	18 A. I can't tell you a name.
19 and Kristi, can you remember whether there was	19 Q. Is that described at all in the third
20 anyone at the room at the time -- in the room at	20 paragraph here?
21 the time these statements were made other than	21 A. Yes.
22 people who were being trained?	22 Q. Okay. Can you please tell me what

<p>1 statements you're referring to?</p> <p>2 A. Repeat your question.</p> <p>3 Q. Sure.</p> <p>4 A. Please.</p> <p>5 Q. Sure. Can you please tell me what was</p> <p>6 said at the training session about the subject of</p> <p>7 hiring men other than by Kristi O'Brien or anyone</p> <p>8 who was being trained?</p> <p>9 A. No.</p> <p>10 Q. Was there anything said about the</p> <p>11 subject of hiring men at the training session by</p> <p>12 someone other than Kristi O'Brien and the people</p> <p>13 being trained?</p> <p>14 A. No.</p> <p>15 Q. All right. So the regional manager</p> <p>16 who was wearing a cape --</p> <p>17 A. Mm-hmm.</p> <p>18 Q. -- to the best of your recollection</p> <p>19 didn't say anything about the hiring of men during</p> <p>20 the training session; is that right?</p> <p>21 A. I can't recall.</p> <p>22 Q. One way or the other?</p>	<p>Page 34</p> <p>1 Applicant & she said not to tell him About the</p> <p>2 Commissions."</p> <p>3 Q. Did Donna say anything else to you</p> <p>4 about hiring men other than that?</p> <p>5 A. There was other -- another part of</p> <p>6 that conversation, yes, but I can't recall what it</p> <p>7 was.</p> <p>8 Q. Can you remember anything that Donna</p> <p>9 said to you about hiring men or not hiring men or</p> <p>10 how to handle men who were looking for work at LA</p> <p>11 Weight Loss other than what you've just read from</p> <p>12 the last page of your statement?</p> <p>13 A. Could we go off the record so I can</p> <p>14 clarify?</p> <p>15 Q. Well, you know, if it's okay with you,</p> <p>16 and if it's okay with Ms. Quinlan, probably better</p> <p>17 to clarify it while the court reporter takes it</p> <p>18 down. That way, we'll know what everybody said</p> <p>19 when the transcript's created later.</p> <p>20 You can clarify it any way you'd like,</p> <p>21 ma'am.</p> <p>22 A. I was talking with her by phone, "her"</p>	<p>Page 34</p>	<p>Page 36</p>
<p>1 A. Right.</p> <p>2 Q. Other than the -- going to sort of ask</p> <p>3 you the same question but in a different way just</p> <p>4 to make sure I understand what happened.</p> <p>5 Other than Kristi O'Brien and the</p> <p>6 people who were being trained, did anyone say</p> <p>7 anything at the training session about the hiring</p> <p>8 of men?</p> <p>9 A. You said other than Kristi and the</p> <p>10 people at the training?</p> <p>11 Q. The people being trained.</p> <p>12 A. Being trained, no.</p> <p>13 Q. All right. To the best of your</p> <p>14 recollection, did any member of LA Weight Loss's</p> <p>15 management say anything at any training session</p> <p>16 about the hiring of men other than Kristi O'Brien?</p> <p>17 A. Not at a training session.</p> <p>18 Q. All right. Directing your attention</p> <p>19 to the last page of Burroughs No. 1, can you</p> <p>20 please read out loud the last thing you wrote on</p> <p>21 that page in your handwriting.</p> <p>22 A. "I informed Donna I had a male</p>	<p>Page 35</p> <p>1 being Donna, by phone. And I said I have -- She</p> <p>2 asked me if I had applications.</p> <p>3 And I said, "I have quite a few</p> <p>4 applications, yes." I said, "but there's a male</p> <p>5 applicant, and he's already called, and I have</p> <p>6 spoken with him, and he's very interested in the</p> <p>7 position."</p> <p>8 And she said, "You remember not to</p> <p>9 tell him about the commissions because men do not</p> <p>10 work in these positions."</p> <p>11 Q. All right. All right. Other than</p> <p>12 that statement Donna made to you and the</p> <p>13 statements that Kristi O'Brien made during the</p> <p>14 training session, can you recall anyone else who</p> <p>15 was in management at LA Weight Loss saying</p> <p>16 anything on the subject of hiring or not hiring</p> <p>17 men?</p> <p>18 A. No.</p> <p>19 Q. All right. Now, directing your</p> <p>20 attention, Ms. Burroughs, to the second page of</p> <p>21 Burroughs Exhibit No. 1, the way I count, I want</p> <p>22 to direct your attention to the fourth paragraph</p>	<p>Page 35</p>	<p>Page 37</p>